

Date: 04/13/2010 01:27 PM

Subject: any word on Administrator Jackson meeting w/folks in Pittsburgh on April 21?

Hi Lisa

Any word on the possibility of Administrator Jackson meeting with local community folks while she's in Pittsburgh on April 21? My colleague Bill Price will in touch with these people and you can contact him on [Bill.Price@sierraclub.org](mailto:Bill.Price@sierraclub.org) Thanks, Leslie

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I spoke with her scheduler yesterday and she mentioned she was going to contact you..but basically her schedule was rearranged and is very tight, so she will not be able to add any other meetings.

Sorry we could not work it out this time!

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**From:** Leslie Fields [Leslie.Fields@sierraclub.org]

**Sent:** 04/20/2010 04:07 PM AST

**To:** Lisa Garcia

**Cc:** Ex. 6 - Personal Privacy

**Subject:** once more with feeling

Hi Lisa

Any chance Ms. Jackson can meet with folks in Pittsburgh tomorrow? We appreciate your efforts on this request. Thanks, Leslie

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Yes, the article was good. Thanks for forwarding the comments  
Also, did Ruth ever meet with Carl Soderburgh in PR- I had put in a request to have them start a dialog..

Have a good thanksgiving Emily and Lisa !!

Lisa g

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**From:** Emily Enderle [eenderle@earthjustice.org]  
**Sent:** 11/22/2010 01:11 PM PST  
**To:** Lisa Garcia  
**Cc:** Lisa Evans <levans@earthjustice.org>  
**Subject:** Coal Ash and Environmental Justice

Hi Lisa,

Congratulations on your new post at EPA! It's encouraging to see the Agency taking such significant strides to prioritize and incorporate environmental justice into the organization. I'm writing to flag a few things for you relating to coal ash and environmental justice.

Below is today's Washington Post article on the topic (it's also in today's print edition - titled EPA examines waste 'hot spots'). It does a great job highlighting the environmental justice issues around coal ash and features the voice of many folks you have met with about the issue - Dr. Bullard, Vernice and Ruth Santiago of Puerto Rico.

Attached is a copy of the public interest community's comments on the rule. The impacts on environmental justice communities is one of the major concerns articulated in the comments.

Sincerely,  
Emily

### **Environmental justice issues take center stage**

<http://www.washingtonpost.com/wp-dyn/content/article/2010/11/21/AR2010112103782.html>

By Juliet Eilperin

Washington Post Staff Writer

Sunday, November 21, 2010; 8:23 PM

CROOM, MD. - The winding Mataponi Creek looks clear in the sunlight, with marsh grasses lining its banks. But some of the coal ash waste from a nearby power plant is also coursing through its waters, and residents are worried it is contaminating their well water.

The area around the Brandywine ash storage site - where waste from Mirant Mid-Atlantic's Chalk Point plant containing carcinogens and heavy metals ends up - is a fairly rural community, with residents who are far from politically active and have little leverage with elected officials who might act on the matter.

"Why is this not in some other county? Why is it not in the Potomac?" asked Fred Tutman, who heads the environmental advocacy group Patuxent Riverkeeper, as he navigated his motorboat on the Mataponi Creek. "It's about power, economic power, political power, resource power."

The controversy over toxic coal ash waste in this corner of Prince George's County - and fights for greater coal ash regulation from Alabama to Puerto Rico - highlights an issue that has been around for decades and is again in the spotlight: environmental justice.

Obama administration officials are looking at hazardous waste storage, toxic air emissions and an array of other contaminants to try to determine whether low-income and minority communities are disproportionately exposed to them.

The Environmental Protection Agency's administrator, Lisa P. Jackson, has made the issue one of her top policy priorities, alarming manufacturing and business interests.

"I really think of this as the biggest chunk of unfinished business when you think about the environmental landscape," Jackson said in an interview.

Maryland's Department of the Environment filed a lawsuit in January against Mirant over its discharges from coal combustion, which include pollutants such as arsenic and lead. For years utilities have had considerable leeway in how they handle this concentrated waste, but state officials allege that Mirant's storage site is discharging pollutants into groundwater without a permit.

In a written statement, Mirant spokeswoman Misty Allen said the company "does not comment on litigation matters. Mirant believes it has and continues to operate the Brandywine Fly Ash facility, purchased by the company in 2000, in accordance with all state and federal law and permits." She added that Chalk Point, the state's largest power plant, employs more than 250 workers and boasts an annual payroll of more than \$30 million.

But 45 untested private wells are within a half-mile of the landfill, with a state wildlife refuge also nearby.

"Communities have a right to know whether the polluting facilities in their neighborhood are complying with the law," said Environmental Integrity Project staff attorney Jennifer Peterson, whose group is a party to the lawsuit.

In addition to looking at coal ash storage, EPA officials are reevaluating how the government defines solid waste and measures short-term exposure to smog-forming pollutants. They have forced a variety of emitters, including container-glass plants, cement plants and oil refineries, to install pollution controls in poor areas struggling with bad air quality.

"The intensity and focus on this issue in this administration, the integration of it into the bowels of the agency, has been so aggressive, those of us who do this work cannot keep up with what the administration is doing," said Vernice Miller-Travis, vice chair of the Maryland Commission on Environmental Justice and Sustainable Communities.

Among the EPA's moves: reviving an interagency environmental justice task force that had been dormant for a dozen years; issuing a formal guidance to regional offices instructing them to seek the input of disadvantaged groups when making decisions; and drafting a plan to integrate the concept of environmental justice into the agency's everyday decision-making.

This flurry of activity worries industry officials such as Keith McCoy, vice president for energy and resources policy at the National Association of Manufacturers, who warned that it could hurt business operations across the country.

"Basically, EPA is saying to regional offices, engage with the environmental justice community and don't meet with anyone else on the issue," McCoy said, referring the draft guidance. "They've turned this more into a confrontational issue."

Jackson calls those kinds of objections "nonsense," saying her agency is simply reaching out to neglected communities that remain "hot spots of emissions, hot spots of contamination." People living in those neighborhoods, she said, don't want to lower their living standards in exchange for work.

"Find me the person who says, 'I'll take the pollution if you give me the job,'â€Š" she said.

But for years, certain urban and rural areas have served as magnets for industrial facilities and waste sites, sometimes because they generate economic opportunities. Chemical plants, an incinerator, a power plant and other facilities in three Baltimore neighborhoods - Brooklyn, Curtis Bay and Hawkins Point - released more than 20.4 million pounds of hazardous air pollutants in 2008 alone, and there are now plans underway to locate both a waste-to-energy incinerator and an ash landfill in the area.

Andy Galli, Maryland program coordinator for Clean Water Action, said one of the problems with the current permitting process for those facilities is that "there's nothing that requires cumulative effects on these communities."

People began talking about the issue of environmental justice four decades ago. During the first Earth Day in 1970, Chicano activist Arturo Sandoval led a march from an Albuquerque park to the city's barrio, where protesters waved signs with messages such as "Keep Your Pollution, Give Us Life."

The term entered the national lexicon in 1987 when the United Church of Christ Commission for Racial Justice published a report on the issue, sparked by North Carolina's decision to place a toxic waste facility in a poor, predominantly African American community in Warren County.

Nearly a quarter of a century later, activists like Robert D. Bullard, who directs the Environmental Justice Resource Center in Atlanta, are still scheduling meetings with EPA regional officials, for example, to question the deposit of waste from the BP oil spill

in the majority-black town of Campbellton, Fla., and the shipment of toxic coal ash from the 2008 Tennessee Valley Authority spill in mostly-white Roane County, Tenn., to a site in mostly-black Perry County, Ala.

"We're not just talking about something that happened 30 years ago, legacy stuff," said Bullard, who attributes those decisions to regional EPA officials rather than headquarters staff.

Bullard and others are pressing EPA to adopt a more stringent rule regarding the handling of coal ash: Right now the agency is deciding whether to require federal oversight of its transport and disposal, or to establish guidelines that the states could choose whether to enforce. Industry advocates argue that stricter rules will drive up costs and make it more difficult to reuse the coal combustion waste.

The issue is a source of contention as far away as Puerto Rico, where a subsidiary of the Virginia-based energy giant AES built a coal-fired plant in 2002 without establishing a landfill. For a few years the company shipped the waste to the Dominican Republic, but when that nation sued over the environmental impact and refused to accept any more, AES - which declined comment - started selling it as cheap landfill in Puerto Rico.

Now housing developments such as Parque Gabriela II in Salinas, one of the island's poorest regions, have piles of coal ash elevating their homes above the flood plain and lining a storm water retention pond whose contents could end up in the city's sole source of drinking water.

"All of this is getting leached into the aquifer," said Osvaldo Rosario, an environmental chemistry professor at the University of Puerto Rico's Rio Piedras campus. Rosario has sampled ash from the site, and an analysis showed radioactive material at more than twice the recommended limit under EPA guidelines.

Ruth Santiago, a lawyer representing several environmental groups in Puerto Rico, has appealed to EPA to step in and control the coal waste's disposal. "We've been asking for many years for attention to this issue," she said. The agency's proposed rules are "a step in the right direction. . . . As it is now, they can call it beneficial use, and have anybody dump it anywhere."

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Emily Enderle

Legislative Representative

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tough love :-). ....!

thanks, lisa

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Emily Enderle ---12/13/2010 11:34:44 AM---Hi Lisa, Just wanted to flag this Economist article (print and online) on EJ and coal ash for you.

From: Emily Enderle <[eenderle@earthjustice.org](mailto:eenderle@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Cc: Lisa Evans <[levans@earthjustice.org](mailto:levans@earthjustice.org)>  
Date: 12/13/2010 11:34 AM  
Subject: Economist: The Battle for "Environmental Justice"

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Hi Lisa,

Just wanted to flag this Economist article (print and online) on EJ and coal ash for you.

Sincerely,  
Emily

---

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[http://www.economist.com/node/17633240?story\\_id=17633240](http://www.economist.com/node/17633240?story_id=17633240)

## Pollution and race

## The battle for “environmental justice”

Dec 2nd 2010 | *UNIONTOWN, ALABAMA* | from PRINT EDITION

ALABAMA’S Black Belt, a prairie region that spans the south-central part of the state between the Georgia and Mississippi borders, is flat, green and low. As a result, the large grey ash mound looming over a line of scraggly trees stands out all the more from the rural highway heading east out of Uniontown.

The mound is coal ash shipped from Kingston, Tennessee. On December 22nd 2008, a holding pond at a Tennessee Valley Authority coal-fired power plant ruptured, sending 978m gallons (3,702m litres) of ash into a nearby river, where it turned to sludge. That sludge was shipped to Arrowhead, a landfill site outside Uniontown. Some locals feel it stands out olfactorily as well as visibly: signs proclaiming “Coal Ash Stinks!” dot a few front gardens on the road across from the landfill, and a group of locals are suing Phill-Con, the landfill’s operator, in state and federal courts, claiming that dust and odours from the ash have made them ill. Phill-Con insists that its operation is in compliance with state, local and federal laws, but calls for stronger regulation have grown since the accident. Coal ash has a number of industrial uses—cement, concrete and highways among them. Businesses fear that regulation would hamper such use; environmental groups say coal ash is full of toxic metals and tends to leach into groundwater.

A thornier problem than what Arrowhead contains, however, is where it is. Perry County, where it is located, is 67.5% black; nearly a third of its residents live below the poverty line. Roane County, where the accident happened, is richer and whiter. Both the Alabama Department of Environmental Management (ADEM) and the federal Environmental Protection Agency (EPA) contend that Arrowhead was chosen because it was well-suited to contain coal ash (it is also on a railway line, which means the ash never had to travel by road).

But Robert Bullard, who heads the Environmental Justice Resource Centre at Clark Atlanta University, sees the shipment of waste from one county to a poorer, blacker one as part of a longstanding pattern that sees minority communities disproportionately burdened with hazards. A study he conducted in 2007 found that more than half of the 9.2m people who live within three miles of a commercial hazardous-waste facility are black, Latino, Asian-American or Native American, and that neighbourhoods with more than one hazardous-waste site tend to have higher proportions of minorities and poor people.

Politicians have tried to tackle this problem before, with scant results. In 1994 then-president Bill Clinton signed the environmental justice executive order, which begins in hope (“each Federal agency shall make achieving environmental justice part of its mission”) but ends in climb-down (“This order is...not intended to, nor does it create any right...enforceable at law or equity by a party against the United States”). Thirteen years later, then-senator Hillary Clinton introduced the Environmental Justice Renewal Act; it died in committee. Lisa Jackson, who heads the EPA, has issued environmental-justice guidelines to the agency’s offices, and Gwen Keyes Fleming, administrator for the EPA in the south-east, recently met Mr Bullard and other environmental-justice advocates. But that is it.

Lamenting the disparity is easy; of course poor and minority neighbourhoods should not be society’s dumping grounds. But finding a solution is hard. Hazardous-waste facilities have to go somewhere, and buying 976 acres (the size of Arrowhead) of vacant land is easier and cheaper in rural Alabama than it would be in a tony district of Birmingham. And for all the lip-service Ms Jackson pays to environmental justice, one wonders whether the Obama administration really has the energy, money and political stomach for an activist EPA in the next two years.



Hi Emily:

Thanks for your and Earthjustice's support!

Thanks for giving me the heads up on the invites. We had a few waves of "early" invites go out in the morning- of course those are the media situations we deal with on these types of announcements. I will try to ensure that these invites continue to increase in scope and get to the EJ representatives.

After the 1st call I only saw a few EJ or enviro advocates signed on, so we sent the larger listserve the invite and it was late, but we really thought more advocates had received the original wave.

Thanks again for the info and please continue to feed us recommendations and info on how to improve the process!

Oh also, as an FYI- I am going to Puerto Rico on April 7, and have asked region 2 staff to try to plan to visit to the south west

**Ex. 6 - Personal Privacy**

Take care, lisa g

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Emily Enderle ---03/16/2011 06:48:12 PM---Hi Lisa, Congratulations to EPA for releasing the proposed rule on power plant air toxics. As we st

From: Emily Enderle <[eenderle@earthjustice.org](mailto:eenderle@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 03/16/2011 06:48 PM  
Subject: FW: [epa-ej] Stakeholder Briefing on Proposed Mercury & Air Toxics Standards

Hi Lisa,

Congratulations to EPA for releasing the proposed rule on power plant air toxics. As we stated in our press release, we're really encouraged by we've seen and heard so far and are looking forward to digging in deeper.

I just wanted to let you know I heard from several people in the field today that they were disappointed that EPA didn't announce these briefing sessions more than 30 minutes before they were to occur. There is certainly interest in the field but providing such short notice left folks feeling a bit disenfranchised about the roll out process.

Sincerely,  
Emily

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**From:** Environmental Justice EPA [<mailto:Environmental-Justice@epa.gov>]

**Sent:** Wednesday, March 16, 2011 2:31 PM

**To:** Emily Enderle

**Subject:** [epa-ej] Stakeholder Briefing on Proposed Mercury & Air Toxics Standards

## Stakeholder Briefing on Proposed Mercury & Air Toxics Standards

Dear Stakeholder/Interested Party:

On Wednesday, March 16th, EPA Administrator Lisa P. Jackson made an announcement aimed at protecting public health by presenting the proposed rule on Mercury & Air Toxics Standards.

Following the announcement we would like to invite you to participate in a briefing where you will have the opportunity to ask questions of senior EPA officials about this action and its public health implications. Please reserve the date on your calendar.

Details of the calls can be found below:

Time: **3:00 PM EDT (General Public Health)**

Call-in Number:

Conference Code

Ex. 6 - Personal Privacy

Time: **4:00 PM EDT (Children and Women Benefits)**

Call- in Number: Ex. 6 - Personal Privacy  
Conference Code

Time: **4:25 PM EDT (Minority Health Benefits)**

Call- in Number: Ex. 6 - Personal Privacy  
Conference Code

Time: **4:50 PM EDT (Minority Health Benefits)**

Call- in Number: Ex. 6 - Personal Privacy  
Conference Code

Office of Public Engagement  
Office of External Affairs & Environmental Education  
Office of the Administrator

00102

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If you are not already a member, the Office of Environmental Justice would like to invite you to join the EJ ListServ. The purpose of this information tool is to notify individuals about activities at EPA in the field of environmental justice. By subscribing to this list you will receive information on EPA's activities, programs, projects grants and about environmental justice activities at other agencies. Noteworthy news items, National meeting announcements, meeting summaries of NEJAC meetings, and new publication notices will also be distributed. Postings can only be made by the Office of Environmental Justice. To request an item to be posted, send your information to [environmental-justice@epa.gov](mailto:environmental-justice@epa.gov) and indicate in the subject "Post to EPA-EJ ListServ"

To join the listserv go to: [https://lists.epa.gov/read/all\\_forums/subscribe?name=epa-ej](https://lists.epa.gov/read/all_forums/subscribe?name=epa-ej)

To change the way you receive these emails, go to: <https://lists.epa.gov/read/?forum=epa-ej> and click "My Account."

To unsubscribe, send a blank email to [leave-1108210-979879.116c99ed5c4df6f51c814b3f8a8011af@lists.epa.gov](mailto:leave-1108210-979879.116c99ed5c4df6f51c814b3f8a8011af@lists.epa.gov).

Hello. Enter ARS and I'll have Dee or Carlos come get you.  
Looking forward to seeing you.  
Lisa

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**From:** Vernice Miller-Travis; **Ex. 6 - Personal Privacy**

**Sent:** 04/16/2011 07:08 PM AST

**To:** <gregg.macey@brooklaw.edu>; Patrick Chang; Brent Newell <bnewell@crpe-ej.org>; Steve Fischbach; **Ex. 6 - Personal Privacy** Nicholas Targ <nicholas.targ@hklaw.com>; Dorris Riddick; Eileen Gauna <gauna@law.unm.edu>; "leslie.fields@sierraclub.org" <leslie.fields@sierraclub.org>; Charles Lee; Helena Wooden-Aguilar; Lisa Garcia

**Subject:** RE: meetings on the 18th

Hi Greg,

Just confirming that i will attend this meeting in person on Monday.

Also, the location of the meeting appears to be Ariel Rios building, room 3216. Which entrance to EPA should we use, and who should we ask for to escort us to the meetig, and what's that person's EPA extension?

Many thanks Greg.

Vernice

Vernice Miller-Travis/dba Miller-Travis & Associates - Advocating for Environmental Justice and Sustainable Community Development - **Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

"No person is worth their salt who is not ready at all times to risk their body, to risk their well-being, to risk their life, in a great cause." MLK, Jr.

> From: gregg.macey@brooklaw.edu

> To: **Ex. 6 - Personal Privacy** Chang.Patrick@epamail.epa.gov; bnewell@crpe-ej.org;

**Ex. 6 - Personal Privacy** nicholas.targ@hklaw.com;

Riddick.Dorris@epamail.epa.gov; **Ex. 6 - Personal Privacy** Leslie.Fields@sierraclub.org;

Lee.Charles@epamail.epa.gov; Wooden-Aguilar.Helena@epamail.epa.gov;

Garcia.Lisa@epamail.epa.gov

> Date: Fri, 15 Apr 2011 19:38:48 -0400

> Subject: Re: meetings on the 18th

>

> Hi, all. The OCR/OEJ meeting is Monday at 9:30 a.m. EST (new location: ARS 3216).

Attached is an agenda. The call-in is still

**Ex. 6 - Personal Privacy**

>  
> I look forward to seeing everyone on Monday.  
>  
> Regards,  
>  
> Gregg  
>  
>  
>



Great. thanks for the info.

Let me know about the hearing...I can call the regional administrator's office...or even Keri Powell maybe she could help get you guys in or on the list...thanks, lisa

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
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Emily Enderle ---05/25/2011 02:22:17 PM---Marianne has been doing some heavy thinking about Title VI with a group of mainly civil rights attor

From: Emily Enderle <[eenderle@earthjustice.org](mailto:eenderle@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 05/25/2011 02:22 PM  
Subject: Re: Civil rights

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Marianne has been doing some heavy thinking about Title VI with a group of mainly civil rights attorneys, including Lexer Quamie at The Leadership Conference here in DC. Both sets of contact info can be found below. Either of them would be a better resource on who would be good to invite. I'll keep thinking about it though.

Just arrived in Atlanta for tomorrow's Mercury Air Toxics hearing. I heard the other two went well but there have been some logistical concerns with this being in an EPA building rather than at a hotel. All the speaking slots were booked the morning of the deadline before several community members from GA communities had a chance to register. Most are on the waitlist and we're keeping our fingers crossed folks will have a chance to testify before having to leave town.

Marianne Engelman Lado  
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<x-apple-msg-load://2B90B213-5E14-4E98-BEDF-4E5D2903D12A/quamie@civilrights.org>quamie@civilrights.org<mailto:quamie@civilrights.org>  
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On May 25, 2011, at 2:06 PM,

"<mailto:Garcia.Lisa@epamail.epa.gov>Garcia.Lisa@epamail.epa.gov<mailto:Garcia.Lisa@epamail.epa.gov>"

<<mailto:Garcia.Lisa@epamail.epa.gov>Garcia.Lisa@epamail.epa.gov<mailto:Garcia.Lisa@epamail.epa.gov>> wrote:

Hi Emily:

Not really what we discuss...but....I plan to invite a small group of people to join us for a discussion on civil rights...not sure when , but thought Marianne engleman lado would be a good person to join. Can you send me her contact info.

Also, do you have any thoughts on who be good to discuss Title VI issues. We have a list, but maybe you had a thought...

hope all is well!

thanks, lisa g

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Thanks for report out!

----- Original Message -----

From: Emily Enderle [eenderle@earthjustice.org]

Sent: 05/26/2011 12:08 PM MST

To: Dru Ealons; Lisa Garcia

Subject: Fwd: NEWS: Communities of Color & the Poor Bear Burden of Air Pollution

FYI. The hearing is very well attended and community or public interest speakers is probably outnumbering industry 5:1.

FOR IMMEDIATE RELEASE

May 25, 2011

Contact: Jared Saylor, Earthjustice (202) 667-4500, x213

Emily Enderle, Earthjustice (202) 253-2397

Dr. Robert Bullard, Environmental Justice Resource Center at Clark-Atlanta University  
(678) 725-0435

Communities of Color, Poverty Bear Burden of Air Pollution  
EPA public hearings this week filled with stories of poor communities and people of color fighting illness, health impacts from power plant air toxics

Atlanta, GA – Earthjustice and the Environmental Justice Research Center at Clark Atlanta University have collaborated to compile data for coal-fired power plant pollution and the impacts on low income communities and communities of color for EPA Region IV, which includes Mississippi, Alabama, Georgia, Tennessee, Kentucky, North Carolina, South Carolina and Florida. The environmental justice trend for coal plant pollution and the disproportionate burden on these communities presents itself nationally and is magnified in EPA Region IV.

A recent proposal by the U.S. Environmental Protection Agency would cut mercury, lead, arsenic and particle pollution from hundreds of coal-fired power plants across the country. The plan would save 17,000 lives, prevent 120,000 asthma attacks, and result in air quality improvements valued at \$59 billion to \$140 billion each year. The EPA estimates that for every dollar spent to reduce this pollution, Americans would see \$5 to \$13 in health benefits.

But Dr. Robert Bullard, director of the Environmental Justice Resource Center at Clark Atlanta University, sees these numbers as only part of the story. "It's well known that communities of color and low income communities bear the disproportionate share of the deaths and illnesses associated with pollution from coal-fired power plants," Dr. Bullard said. "The EPA's proposal to reduce toxic air emissions from power plants would help to improve this tragic inequality by cutting toxic emissions that have been proven to cause cancer, asthma and respiratory disease, cardiovascular ailments, and thousands

of premature deaths annually.”

For example, Mississippi and Alabama are the two states in the nation with the most disproportionate siting of coal-fired power plants for populations living below the poverty line, and Tennessee is among the top five with the worst disproportionate impact to people of color.

The greatest disparity in Region IV as compared to the nation as a whole is in regards to communities of color. As of 2000, the most recent Census data available for this study (2010 Census data is not yet available for ZIP codes), minorities comprised 24.9% of our nation’s population. Nationally, the percentage of people of color living next to coal-fired power plants is 21.7%. In EPA Region IV, the percentage people of color living near these facilities— 30.0% —is significantly higher than the national average. This figure means that the people of color living in the same ZIP code as a coal-fired power plant in Region IV is 20% greater than would be expected based on the national average.

In Alabama, the people of color near coal plants is 46% higher than the statewide average would predict; in Mississippi it is 34% higher; and in Tennessee there is nearly twice as high a likelihood for non-white individuals to be living near coal plants as would be expected given the state average.

The burdens of coal combustion and, ultimately, the threat of diseases and deaths brought about by air pollution, are also borne unequally nationwide by those living in poverty, with a more dramatic disproportionate impact in the Southeast. The national percentage of those living in poverty is 11.9%. Near coal plants nationwide, the poverty rate is 12.9%. In Region IV, the poverty rate of those living near coal plants is 14.9%. As with people of color, the numbers of low-income communities are particularly concentrated near coal plants in Alabama, Mississippi, and Tennessee.

In Alabama (24.5%) and Mississippi (26.5%), the poverty rate near coal plants is more than twice the national average. In Tennessee the number of people living below the poverty line near coal plants is 41% higher than would be expected from the national average.

“These regional numbers tell a story that is all too common in communities across the country – low income communities and communities of color are disproportionately located near and impacted by the pollution coming from coal-fired power plants. Cleaning up this pollution will save as much as \$140 billion annually while helping improve the lives of millions of Americans living near these facilities and breathing dirty air,” said Emily Enderle, legislative representative at Earthjustice. “The public hearings the EPA held this week in Philadelphia and Chicago were mainly attended by concerned citizens who support cleaning up these big polluters. We expect the hearing in Atlanta today to be no different. Americans want and deserve clean air.”

#####

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Take care,  
Lisa

Lisa F Garcia, Esq.

Senior Advisor to the Administrator and Associate Assistant Administrator for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000  
Washington, DC 20460  
(202) 564-1259  
Fax: (202) 501-0740

---

**From:** Marianne Engelman Lado [mengelmanlado@earthjustice.org]  
**Sent:** 06/01/2011 09:02 AM MST  
**To:** Lisa Garcia  
**Subject:** Getting in Touch

Lisa,

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Hope all's going well at EPA and that you're able to accomplish what you set out to do.

Please let me know if I can be helpful.

Best,

Marianne

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Marianne Engelman Lado  
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**From:** Marianne Engelman Lado [mengelmanlado@earthjustice.org]  
**Sent:** 06/01/2011 09:43 AM MST  
**To:** Lisa Garcia  
**Subject:** RE: Getting in Touch

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I'd be very interested in the Title VI meeting. Please keep me posted.

Please send my best to Michelle, as well.

Marianne

**From:** Garcia.Lisa@epamail.epa.gov [mailto:Garcia.Lisa@epamail.epa.gov]  
**Sent:** Wednesday, June 01, 2011 12:30 PM  
**To:** Marianne Engelman Lado  
**Subject:** Re: Getting in Touch

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Yes; we are ytrying. At the Mobile, AL taskforce meeting we worked with HHS and held an EJ listening session and discuss the recently allocated funds for mental health and longterm studies of workers.

Today the advocates I met with gave suggestions on HHS can improve the process, get the word out and provide assistance in different languages.

Any suggestions you hear of, please pass them on.

---

**From:** Marianne Lado [melado@me.com]  
**Sent:** 06/01/2011 02:33 PM AST  
**To:** Lisa Garcia  
**Subject:** Re: Getting in Touch

Important. It would be enormously helpful to find a way to connect people to HHS resources. Health concerns keep coming up as a high priority.

Best,

Marianne

Sent from my iPhone

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**From:** [Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov) [mailto:[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)]  
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I hear the exact same thing every meeting. I have been really trying to work with HHS (and they have been responsive- just not to the extent folks would like to see...) to get people out and focus on the Gulf health issues.

The good news is on Nov 8th - our 1st meeting we had no representation, and on May 6th in Mobile we had a whole day conference with HHS and gulf and EJ issues and HHS announced up to 50 million dollars to do outreach and health studies in the Gulf.

In fact in Mobile I specifically had one of the advocates speak with the HHS representative one on one to ask for more face to face meetings and more presence. I also spoke with Linda Birnbaum and Sharon Beard (who heads up the new HHS Gulf coast work) to make sure they get out to communities to do some work.

The problem with the Taskforce the Administrator runs is 1) it was convened by Pres and outlined the who and what, 2) it was convened to issue a report to the President on Gulf coast ecosystem restoration by oct 9- so we have a pretty tight deadline. And there are obviously many issues to cover. I have not heard of an Exec Order or other taskforce that would be convened to work on health issues.

One ask from the groups I have been meeting with is to ensure that a recommendation deal with the severe need for more medical and mental health issues.

Also, another ask from the communities was to have a Community Advisory Board- last month the Administrator announced that EPA would convene a Federal Advisory Committee (takes about 3-6 months to stand up). We would lead it and I asked community groups to think about who should be on this FACA- I assume they will recommend a health care or mental health advocate.

Let me know what you think we can do...or give me names of folks so I can ask HHS to have a conference call with them to talk specifically about health in the Gulf. I realize not everyone could make the Mobile HHS meeting.

Thanks, lisa

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E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Lado ---06/19/2011 11:29:14 PM---Lisa, I've been thinking about our e-mail exchange and wondering whether

From: Marianne Lado <[melado@me.com](mailto:melado@me.com)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 06/19/2011 11:29 PM  
Subject: Re: Getting in Touch

---

Lisa,

I've been thinking about our e-mail exchange and wondering whether you've been hearing some of what I've been hearing: in addition to the many EJ-related and restoration-related concerns post-disaster, people are very concerned about their health and the lack of health care available to help people address post-disaster symptoms. I'm very struck by the way in which, whatever the formal topic of the meeting, residents keep coming back to the lack of access to health care and, particularly, lack of access to medical professionals with familiarity with issues of exposure. I'm wondering whether there's a place -- an inter-agency task force, for example -- to bring HHS further into the mix, in addition to what is being done to monitor the long-term health impacts?

All the best,

Marianne

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Hi leslie:

I just spoke to Michael- we were on a panel at NAACP conference and he said he will not be available at the end of August.

We will check our agenda just in case, but given his schedule it may not be possible this time around.  
Thanks. Lisa

---

**From:** Leslie Fields [Leslie.Fields@sierraclub.org]

**Sent:** 07/25/2011 12:31 PM AST

**To:** Lisa Garcia; Charles Lee

**Subject:** possibility of Mike Brune Sierra Club ED speaking @ EPA EJ confab in Detroit

Hi Lisa and Charles

We're looking forward to the EPA EJ confab in Detroit in August! I'm writing to you to see if there's a possibility of Michael Brune, our ED being able to give some remarks in the morning of August 25. He will then participate in the Track 4 Community Tour. In addition, that previous evening, August 24 we're (the Sierra Club) thinking about hosting a reception for all participants in the hotel. Your thoughts and insights and assistance for a short speaking spot for Brune on August 25 (I guess first thing that morning) would be appreciated! Thanks, Leslie

Leslie G. Fields

Director, National Environmental Justice and Community Partnerships Program

Sierra Club

50 F Street, NW Eighth Floor

Washington DC 20001

202.548.4586

Leslie.Fields@sierraclub.org

[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

Thanks for the article.

I continue to hear this concern and continue to raise it with HHS...I am hoping we get some movement.

Also, we are proposing either August 12th or 19th to have a meeting (and call line) with a few experts on Title VI matters. Not really public yet, but want to start getting the word out...

We will plan for another one in the Fall also.

will keep you posted..

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

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Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---08/01/2011 09:35:51 AM---Lisa, I understand that you met briefly with my colleagues, Eve Gartner and Patti Goldman, a week or

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 08/01/2011 09:35 AM  
Subject: Follow Up

---

Lisa,

I understand that you met briefly with my colleagues, Eve Gartner and Patti Goldman, a week or so ago on a range of pesticides-related issues.

I wanted to follow up on our brief exchange about the need to get more attention to the dearth of appropriate health care available to treat exposure-related illness in the Gulf. I thought you might be interested in the article below.

Best,

Marianne

---

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<http://www.ipsnews.net/news.asp?idnews=56675>

## BP Disaster a Year Later, Healthcare Crisis Worsens

By Lily Hough

**WASHINGTON, Jul 28, 2011 (IPS) - When news of the disastrous BP oil well explosion reached the residents of Jean Lafitte, Louisiana last April, Mayor Tim Kerner did the only thing he could think of to stop the oil from destroying his community. He encouraged everyone in his town to join him on the water, working day and night throughout the disaster to clean-up the spill.**

Now, one year after BP managed to cap the runaway well that fouled the Gulf of Mexico with an estimated five million barrels of oil, most of those people are ill.

"I'm afraid my neighbors will come to me and say, I wouldn't have listened to you and kept my job if I knew it would kill me," Kerner said.

Kerner's story was one of many shared by Kerry Kennedy, president of the [Robert F. Kennedy Center for Justice and Human Rights](#), at a briefing Wednesday evening, the day after she led a delegation to the Gulf Coast to assess the scope of the emerging healthcare crisis in the wake of the BP drilling disaster.

"The residents are sick," Kennedy told IPS. "They don't know what the exact cause of their illness is, but because they never suffered this way before the spill and they were all out on their fishing boats throughout the clean-up, they suspect this has something to do with the toxins."

### Long-Term Impact Needs Long-Term Funding

Edward Trapido, associate dean for research and professor of epidemiology at Louisiana State University Health Sciences Center, told IPS that the short term health impact observed in the year following the BP oil disaster could be minimal compared the the longer term effects on the population.

"Nobody has ever looked long term at the health of the population following a major oil spill," Trapido said.

"We know that there were carcinogens in the oil. We know that there is entry into some levels of the food chain. But we don't know what the hazards are of ingesting food that potentially could have

evidence of contamination and these things are not answers we can get today and they are going to be the kinds of answers that will take multiple years of funding."

Trapido is currently leading an LSU study on the physical and mental health of 6,000 women and 2,000 children, neighbors and families of the most heavily oil-and-dispersant exposed male cleanup workers, which has received initial funding by the National Institute of Health (NIH).

But five and 10-year studies like this have no guarantee they'll be sufficiently funded and carried to completion. Because neither the federal nor state government structure is set up to have the legal authority to commit long term funds, Trapido called on the corporations responsible for the disaster to shoulder the long-term commitment necessary for determining the real health impact of the spill.

"It's hard to imagine any other possibility," Trapido told IPS. "I would be inclined to think that BP in this case has a moral obligation to support long term studies of human health related to oil spill exposure, and they should want to know, from the point of view of their own workers, what the long term effects are because they can do a better job of mitigating the impact of future oil spills on their own workforce."

Trapido of called BP's initial commitment of 500 million dollars towards research "a good down payment.

"But I would like to see a 20 year-long commitment," Trapido said.

According to Anne Rolfes, founding director of the [Louisiana Bucket Brigade](#) - an environmental justice group that partnered with Tulane University's Disaster Resilience Leadership Academy to conduct an on-the-ground survey of residents living in impacted communities - nearly 75 percent of those who believe they were exposed to crude oil or dispersant reported experiencing symptoms consistent with chemical exposure.

"Coughing, respiratory irritation, and eye irritation were the most common," Rolfes told IPS. "[Respondents] described that the symptoms came on suddenly and they left suddenly and that would be consistent with getting some sort of wave of chemical exposure, even when we took things like allergies into account."

But Kennedy told IPS that local physicians are hesitant to link their patients' symptoms to the oil.

"They don't have the expertise to make a diagnosis in toxicology, they don't know how to treat that diagnosis, and if they do attempt to treat it, they risk losing their medical licenses," she said.

And in a predominately rural region where a majority of patients are self-employed and uninsured, the health care facilities are too far away and access to toxicology experts is near impossible," Kennedy added.

"Even where that expertise is available, few can afford the expensive tests and medicines needed to treat toxic poisoning," she continued.

At the briefing, Kennedy's colleagues expressed hope that Congress would preserve funding for an expanding network of healthcare "centres of excellence", including a low-cost model site soon to be established in honour of Robert Kennedy in Jean Lafitte.

"They don't have the medical staff able to understand the effects of these toxins...so [patient's complaints] sound very fanciful and are quite often written off," said Steven Bradberry, executive director of the New Orleans-based [Alliance Institute](#), which hosted the delegation.

"This is what we're going for with these centers of excellence, where we can have people who are familiar with the various toxins and the effects of toxins...so that patients can have somewhere in the region where they can get information on [the symptoms] they are observing," Bradberry said.

Their appeal has critical timing, as the explosive budget debate currently rocking Capitol Hill has been rife with calls to slash funds for programmes like Medicare, that are crucial to the livelihoods of low-income oil spill victims with new health concerns.

"We think it's a serious crisis and the federal government needs to grab hold of this in a more aggressive way and provide the wherewithal to make sure that the hundreds of thousands of people who were impacted by the spill have their health care protected," Phil Johnston, a member of the RFK Center's board, emphasised.

Little mention was made of BP and its partners who, already facing possible legal ramifications for the disaster, pledged a 20-billion-dollar compensation fund to protect those impacted by the spill.

Earlier this month, U.S. Attorney General Eric Holder informed Ken Feinberg, the man appointed to administer BP-related claims after his highly esteemed work with the September 11 Compensation Fund, that the Justice Department would initiate an independent audit based on complaints about the transparency of Feinberg's claims process.

A brief filed Monday called the process an "abject failure," and cited that the fund has so far paid only 16 percent of interim claims filed.

A recent study carried out by [Advocates for Environmental Rights](#) (AEHR) reported a discrepancy in the way Feinberg administered claims from previous disaster funds that were paid out with tax payer dollars - like 9/11 - with claims for the BP Oil Spill Compensation Fund, whose payments are siphoned from BP's own piggy bank.

"We found that in past disasters, the folks who were filing claims did not have to show proof of causation. All they had to do was say they were ill, they were at this place or in this location, and so it was. Their claims were taken care of," Michele Roberts, campaign and policy coordinator for AEHR, told IPS.

However, in the case of the BP Oil Spill Compensation Fund, Gulf residents have learned that their claims are denied if they cannot provide proof that BP and its dispersant are the exact cause of their illness, Roberts said, calling the inconsistency "a direct human rights violation."

Rolfes is equally unimpressed with BP's compensation efforts.

"You look around, you don't see health clinics, all you see are BP- sponsored ads around town and in newspapers that say everything is fine," Rolfes told IPS. "It's not fine. Until I see health centres being built in every parish where there was an impact, I haven't seen an adequate response."

"What we need is healthcare now and that should be funded by BP," Rolfes added. "It's not right for the tax payer to pick up the tab for BP's oil disaster."

(END)

Well in all started at NYLPI - which helped launch this veru exciting and interesting path-  
so Thanks to you for letting me join you team ..way back when!  
See you.

----- Original Message -----

From: Marianne Engelman Lado [mengelmanlado@earthjustice.org]  
Sent: 08/18/2011 10:33 AM MST  
To: Lisa Garcia  
Subject: RE: Gulf Coast TF

Thanks for both e-mails. I'm looking forward to the meeting tomorrow and to having the chance to see you in action!

Glad to hear, also, that HHS is participating in the Gulf work. Addressing health issues (and not just monitoring them) continues to be a compelling need. The gap between what communities are feeling (the health impacts) and the dearth of expertise and resources available to address these issues contributes to a sense of being undervalued, that no one really cares. I'm impressed with how well the NGO community is coordinating and yet there just aren't the resources to deal with the health piece.

Sounds like you're doing great work!

Best,

Marianne

-----Original Message-----

From: Garcia.Lisa@epamail.epa.gov [mailto:Garcia.Lisa@epamail.epa.gov]  
Sent: Thursday, August 18, 2011 1:26 PM  
To: Marianne Engelman Lado  
Subject: Gulf Coast TF

Also, wanted to let you know I am putting together an interagency meeting for the next GCTF meeting in Biloxi, MS on the 29th and 30th- the meeting is mainly focused on EJ and local community (trying to get vietnamese/AAPI focus)

But we did confirm that HHS will participate and have the asst under secretary for emergency preparedness. Blanking on name (will give to you tomorrow) but I am also trying to get Dept of Labor.

Don't have access to my files..

I am in Kentucky doing a Mountain mining meeting soon.....so many issues- and I thought NYC had EJ/civil rights issues !



Thanks.

Hi:

Just wanted to follow up. We are still figuring out next steps. We do want to continue talking and implementing some of the recommendations. Sop stay tuned!

on that note, you had mentioned some cases in our discussions but I did not write them all down - it spoke to reviewing health effects I think.  
I am intrigued by the discussion of changing the legal threshold from Select Steel, but want to dive in a bit more so understand the recommendations.  
I had a good conversation with Monique harden also.

thanks for your help. Hope all is well your way, Lisa g

Lisa F. Garcia, Esq.  
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Marianne Engelman Lado ---09/09/2011 03:46:49 PM---Lisa, Are there any next steps flowing from the meeting we had on Title VI with EPA OCR folks and ot

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 09/09/2011 03:46 PM  
Subject: Title VI Next Steps?

---

Lisa,

Are there any next steps flowing from the meeting we had on Title VI with EPA OCR folks and others? I know that Rafael mentioned the idea of a working group to tackle the "effects" standard, and there was some pushback on the need for additional input, given earlier rounds of comments. Do you have a sense of what is next? I'd be happy to try to be helpful.

On another note, attached please find a report that we recently released with the folks at Toxipedia.org on the ingredients in dispersants. We made all of the information released by EPA in response to our FOIA litigation available to stakeholders at [toxipedia.org](http://toxipedia.org).

The schisms in perception and hoped for response to health problems in the Gulf unfortunately continues. Part of the problem is the context: the insufficient health care infrastructure – and disparities in that infrastructure – in the Gulf. Add to that the lack of expertise on exposure to toxics among health professionals, generally, and the mix creates a lot of frustration, quite aside from the sufficiency of government response.

Hope you're well.

Best,

Marianne

[attachment "The Chaos of Clean Up Report.pdf" deleted by Lisa Garcia/DC/USEPA/US]

Sorry I missed you. I will be in and out Sunday and Monday if you want to chat.  
My BB is 202 684 5441.

In response to my request for bios- Monique Harden and Nathalie wrote back saying they calling in. We did not see their names on the RSVP list and did not plan to open a line. We are trying to keep this meeting small and manageable- I think that too many people may not lead to an open, informal dialog- so maybe you can give me some feedback.

Thanks.

----- Original Message -----

From: Marianne Engelman Lado [mengelmanlado@earthjustice.org]  
Sent: 01/13/2012 09:32 AM PST  
To: Lisa Garcia  
Subject: RE: Bios or info

Do you have a minute to talk this afternoon? It might be helpful to touch base.

Thanks,

Marianne

-----Original Message-----

From: Lisa Garcia [mailto:Garcia.Lisa@epamail.epa.gov]  
Sent: Friday, January 13, 2012 12:27 PM  
To: Marianne Engelman Lado  
Subject: RE: Bios or info

Great!!

Good luck with that :-)

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: garcia.lisa@epa.gov

From: Marianne Engelman Lado <mengelmanlado@earthjustice.org>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 01/13/2012 12:20 PM  
Subject: RE: Bios or info

On this end, too. I'm on a call now that is aimed toward this end....

-----Original Message-----

From: Lisa Garcia [mailto:Garcia.Lisa@epamail.epa.gov]  
Sent: Friday, January 13, 2012 12:18 PM  
To: Marianne Engelman Lado  
Subject: RE: Bios or info

Thanks. I think we are ok...just preparing for the meeting and hoping it goes smoothly!

See you soon, lisa g

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: garcia.lisa@epa.gov

From: Marianne Engelman Lado <mengelmanlado@earthjustice.org>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 01/13/2012 11:16 AM  
Subject: RE: Bios or info

Thanks for the note. Happy New Year to you, as well.

Attached please find a bio. Please let me know if you need more info or something in a different format.

Best,

Marianne

-----Original Message-----

From: Lisa Garcia [mailto:Garcia.Lisa@epamail.epa.gov]

Sent: Friday, January 13, 2012 10:54 AM

To: Vernice Miller-Travis; Leslie Fields; Robert Garcia; Marianne Engelmann Lado: elizabeth@uproose.org; Gregg Macey;

**Ex. 6 - Personal Privacy**

Cc: Helena Wooden-Aguilar

Subject: Bios or info

Hi All:

Happy New Year! I am looking forward to seeing you next week at the Title VI roundtable.

can you send us your bios for next week's meeting, or a brief description of your title and organization or work- nothing lengthy.... We would like to give it to the Administrator before the meeting. Please forward to the others for me. Thanks!

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
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US EPA  
1200 Pennsylvania Ave NW  
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Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: garcia.lisa@epa.gov

(See attached file: Marianne -- BIO one paragraph earthjustice 2012.doc)

I am around until about 5.30pm.  
I also may have time at 9.35/45 tomorrow morn.  
I have a daily AM mtg which usually ends around 9.30am.

----- Original Message -----

From: Marianne Lado Ex. 6 - Personal Privacy  
Sent: 01/16/2012 12:28 PM EST  
To: Lisa Garcia  
Cc: Marianne Engelman Lado <mengelmanlado@earthjustice.org>  
Subject: Re: Bios or info

Thanks for the email. I just tried to reach you by phone. Perhaps we can touch base later or tomorrow? Is there a good time?

Best,

Marianne

Sent from my iPhone

On Jan 14, 2012, at 7:16 PM, Lisa Garcia <Garcia.Lisa@epamail.epa.gov> wrote:

> Sorry I missed you. I will be in and out Sunday and Monday if you want to chat.  
> My BB is 202 684 5441.  
>  
> In response to my request for bios- Monique Harden and Nathalie wrote back saying they calling in. We did not see their names on the RSVP list and did not plan to open a line. We are trying to keep this meeting small and manageable- I think that too many people may not lead to an open, informal dialog- so maybe you can give me some feedback.

> Thanks.

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> Thanks,

>

> Marianne

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> Sent: Friday, January 13, 2012 12:27 PM

> To: Marianne Engelman Lado

> Subject: RE: Bios or info

>

> Great!!

> Good luck with that :-)

>

>

> Lisa F. Garcia, Esq.

> Senior Advisor to the Administrator

> for Environmental Justice

>

> US EPA

> 1200 Pennsylvania Ave NW

> Room 3000 ARS: MC-1101A

> Washington, DC 20460

> Tel: (202) 564 1259

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>

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> To: Lisa Garcia/DC/USEPA/US@EPA

> Date: 01/13/2012 12:20 PM

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> On this end, too. I'm on a call now that is aimed toward this end....

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> Thanks. I think we are ok...just preparing for the meeting and hoping



> it goes smoothly!  
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> See you soon, lisa g  
>  
> Lisa F. Garcia, Esq.  
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> Thanks for the note. Happy New Year to you, as well.  
>  
> Attached please find a bio. Please let me know if you need more info or  
> something in a different format.  
>  
> Best,  
>  
> Marianne  
>  
>  
>  
> -----Original Message-----  
> From: Lisa Garcia [<mailto:Garcia.Lisa@epamail.epa.gov>]  
> Sent: Friday, January 13, 2012 10:54 AM  
> To: Vernice Miller-Travis; Leslie Fields; Robert Garcia; Marianne  
> Engelman Lado; [elizabeth@uprose.org](mailto:elizabeth@uprose.org); Gregg Macey;  
> **Ex. 6 - Personal Privacy**  
> Cc: Helena Wooden-Aguilar  
> Subject: Bios or info  
>  
>

> Hi All:  
> Happy New Year! I am looking forward to seeing you next week at the  
> Title VI roundtable.  
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> description of your title and organization or work- nothing lengthy....  
> We would like to give it to the Administrator before the meeting.  
> Please forward to the others for me. Thanks!  
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>  
>  
> (See attached file: Marianne -- BIO one paragraph earthjustice 2012.doc)  
>  
>

thanks for the chat yesterday- I think your recommendations helped me better frame the potential solution and I may have buy-in here for a visit and conversation with Brent and the communities.

Would be great if we could keep the details between us.  
Thanks again- stay safe over the next few days, Lisa G

Lisa F. Garcia, Esq.  
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E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---10/17/2012 10:33:54 AM---Let's try Monday at 10:30. Should I call you at the 202 number below? Thanks!

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 10/17/2012 10:33 AM  
Subject: RE: Touching Base

---

Let's try Monday at 10:30. Should I call you at the 202 number below?

Thanks!

Hope things are going well.

Best,

Marianne

---

Marianne Engelman Lado  
Staff Attorney  
Earthjustice  
156 William Street  
Suite 800  
New York, New York 10038  
T: 212-791-1881 x8228  
F: 212-918-1556  
[www.earthjustice.org](http://www.earthjustice.org)  
*Because the earth needs a good lawyer*

\*please consider the environment before printing

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**From:** Lisa Garcia [mailto:[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)]  
**Sent:** Wednesday, October 17, 2012 10:27 AM  
**To:** Marianne Engelman Lado  
**Subject:** Re: Touching Base

Hello;

Next week is better for me.  
Mon Oct 22 between 10.30 -11.30am or Tues Oct 23rd 10am-11.30am

probably have other dates, but let me know if any of those times work

Lisa F. Garcia, Esq.  
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✉ Marianne Engelman Lado ---10/12/2012 03:55:35 PM---Thanks. It'd be great to talk for a min next week if you have time. Sent from my iPhone

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 10/12/2012 03:55 PM  
Subject: Re: Touching Base

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Thanks. It'd be great to talk for a min next week if you have time.

Sent from my iPhone  
Apologies for brevity and errors

On Oct 12, 2012, at 2:19 PM, "Lisa Garcia" <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:

> Lots of movement here still...taking over many peoples lives and

meeting times- which is all good! Of course Tseming left so there has been a bit of a learning curve for the new person. I had recently asked about the next meeting and with October being booked and other schedules it seems that we are looking at late nov early december.

> Not sure why no one called folks back.

> I will maybe ask Rafael to send a note out if that would help.

> Hope all is well on your end!

>

> Thanks.

> Lisa G

>

>

>

> ----- Original Message -----

> From: Marianne Engelman Lado [mengelmanlado@earthjustice.org]

> Sent: 10/12/2012 08:54 AM MST

> To: Lisa Garcia

> Subject: Touching Base

>

>

>

> Lisa,

>

> Hope all's well.

>

> I was hoping to touch base sometime in the near future. I realize that we haven't been in touch since the last group meeting of EJ advocates and activists a few months ago, and it'd be helpful to find out if there continues to be movement.

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> We have a community-based meeting today and I just heard from some of the others that they've had difficulty reaching contacts at OCR. It'd be helpful to have more up-to-date info to share. If you don't have time today, though, it'd be great to touch base next week.

>

> I should be available by cell until 1 or so: Ex. 6 - Personal Privacy After that, I'll be in a car driving, with other people in the car (so speaker is less of an option).

>

> Sorry this is so last minute. I thought it was worth a try.

>

> Best,

>

> Marianne

Great 10.30 Monday.

Things are good here...still miss NYC dearly!

Hope things are good by you too.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
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1200 Pennsylvania Ave NW  
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> Hope all is well on your end!

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> Thanks.

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> ----- Original Message -----

> From: Marianne Engelman Lado [mengelmanlado@earthjustice.org]

> Sent: 10/12/2012 08:54 AM MST

> To: Lisa Garcia

> Subject: Touching Base

>

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> Lisa,

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Thanks.

Lisa G

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Sorry this is so last minute. I thought it was worth a try.

Best,

Marianne

Hi Leslie:

Does this group have any material or more specific items they would like to discuss. We want to be able to brief the Deputy.

Thanks.

---

**From:** Leslie Fields [leslie.fields@sierraclub.org]

**Sent:** 02/15/2013 11:38 AM EST

**To:** Lisa Garcia

**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

That works! Thanks1

On Fri, Feb 15, 2013 at 10:54 AM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:

How does 11.30 am work. We may have to move it if they call a cabinet meeting.

Thanks.

---

**From:** Leslie Fields [[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)]

**Sent:** 02/14/2013 06:02 PM EST

**To:** Lisa Garcia

**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

Thanks!

On Thu, Feb 14, 2013 at 5:15 PM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:

hi leslie:

I have a request in with Bob, OAR and NEPA, but as you can imagine we are all swamped with transition and expectations of an announcement- so it is hard to ensure that we have the right people in the room.

I will try to get answers by tomorrow.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA

1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Leslie Fields ---02/12/2013 02:16:28 PM---Hi Lisa Thanks for your reply. It would be great if we could get a meeting anytime

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 02/12/2013 02:16 PM  
Subject: Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Hi Lisa

Thanks for your reply. It would be great if we could get a meeting anytime but 10am on Feb 19 w/ Bob P, you and the NEPA folks. thanks!

On Tue, Feb 12, 2013 at 1:56 PM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:

Hi Leslie:

Is there a specific time you were thinking of/

I can check with Bob and other staff- I assume you would want NEPA folks there too.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
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Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Leslie Fields ---02/06/2013 03:51:24 PM---Dear Mr. Perciasepe and Ms. Garcia I hope you're well. I'm writing on behalf of a delegation of refi

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA  
Date: 02/06/2013 03:51 PM  
Subject: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Dear Mr. Perciasepe and Ms. Garcia

I hope you're well. I'm writing on behalf of a delegation of refinery community members, some of whom you may know, who will be in town on Tuesday, February 19th to speak with various officials about the impacts of petroleum refineries to their communities. We very much appreciate the ongoing work of EPA to help reduce the public health impacts of this sector and we would love to discuss additional areas opportunities to utilize NEPA to ensure agencies are most effectively protecting the over-burdened populations. Please let us know if you have any availability on February 19th. Your assistance is much appreciated, as always.

The delegation will include the following participants, representing some of the most impacted areas of our country:

**Mr. Hilton Kelley, Port Arthur, Texas**

Mr. Kelley is the recent recipient of the prestigious Goldman Environmental Prize (2011). As one of the most renowned environmental justice leaders in our country, Mr. Hilton is at the forefront of the fight to protect communities from harmful industrial pollution in the Texas, Gulf Coast. Mr. Kelley is also the Founder and CEO of Community In-power & Development Association Inc., the Coordinator of the Southeast Texas Bucket Brigade, and Mobile Community Outreach Director for the Coming Clean Collaborative.

**Denny Larson,**

Mr. Denny Larson is the Executive Director of Global Community Monitor and has twenty three years of experience as a community organizer and campaigner working with industrial communities fighting for justice. He developed the first national network in the U.S. focused on oil refineries and the giant corporations that own them. Mr. Larson has published a series of community organizing handbooks and co-authored a variety of environmental legislation and regulation pertaining to air pollution, accident prevention and environmental monitoring policies. Mr. Larson has negotiated two dozen binding agreements with major polluters in conjunction with impacted communities to reduce tons of dangerous pollution and create direct community oversight.

**Vincent Martin, Michigan**

Mr. Martin is the epitome of a community activist. Born in Cuba, Vincent brings multiple community perspectives to the various coalitions in which he plays a crucial role. Specifically, Vincent is a member of Zero West Coalition, Michigan Environmental Justice Executive Directive Working Group, and is active in the Title VI (of the Civil Rights Act enforcement) Alliance.

**Steven Kozel, Sr, Hammond, Indiana**

Mr. Kozel is the President of the Calumet Project. The Calumet Project actively works with community members, workers, and other local organizations from Lake and Porter Counties, Indiana, to improve the quality of life in their communities, revitalize the local economy, and address other issues related to improving the welfare of the Calumet region.

**Carlotta Blake-King, Hammond, Indiana**

Ms. Blake-King is the Vice President of the Calumet Project (described above). As a member of the executive board, Carlotta acts to ensure clean water, clean, air, and good jobs to the people of the Calumet Region.

The participants will be joined by myself and my Sierra Club colleague Lena Moffitt.

Thank you so much, for all you do!

Cheers, Leslie Fields

---

Leslie G. Fields  
Director, Environmental Justice & Community Partnerships Program  
Sierra Club  
50 F Street NW, Eighth Floor  
Washington, DC 20001  
202-548-4586  
[Leslie.Fields@sierraclub.org](mailto:Leslie.Fields@sierraclub.org)  
[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

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202-548-4586  
Leslie.Fields@sierraclub.org  
www.sierraclub.org/ejcp

Also, please know that while the Administrator has asked me to put feelers out there- I am not sure anyone on the inside realizes that- SO please make sure these discussions are confidential and do not make its way back to EPA.

Much appreciated!

Lisa G

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---11/15/2012 12:48:19 PM---3 tomorrow? Another question I have is how toshkent additional meetings productive in light of these

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 11/15/2012 12:48 PM  
Subject: Re: Your Question

---

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Sent from my iPhone  
Apologies for brevity and errors

On Nov 15, 2012, at 12:36 PM, "Garcia.Lisa@epamail.epa.gov<<mailto:Garcia.Lisa@epamail.epa.gov>>" <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)<<mailto:Garcia.Lisa@epamail.epa.gov>>> wrote:

yes, definitely.

I also wanted to chat with you some more about our resources being depleted by litigation...

I am back in the office and have time almost anytime after 12.30pm tomorrow to talk.

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Marianne

---

Marianne Engelman Lado  
Staff Attorney  
Earthjustice  
156 William Street  
Suite 800  
New York, New York 10038  
T: 212-791-1881 x8228  
F: 212-918-1556  
[www.earthjustice.org](http://www.earthjustice.org)<<http://www.earthjustice.org/>>

Because the earth needs a good lawyer

\*please consider the environment before printing

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Hello;

Next week is better for me.

Mon Oct 22 between 10.30 -11.30am or Tues Oct 23rd 10am-11.30am

probably have other dates, but let me know if any of those times work

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Date: 10/12/2012 03:55 PM  
Subject: Re: Touching Base

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Sent from my iPhone  
Apologies for brevity and errors

On Oct 12, 2012, at 2:19 PM, "Lisa Garcia" <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:

> Lots of movement here still...taking over many peoples lives and meeting times- which is all good! Of course Tseming left so there has been a bit of a learning curve for the new person. I had recently asked about the next meeting and with October being booked and other schedules it seems that we are looking at late nov early december.

> Not sure why no one called folks back.

> I will maybe ask Rafael to send a note out if that would help.

> Hope all is well on your end!

>

> Thanks.

> Lisa G

>

>

>

> ----- Original Message -----

> From: Marianne Engelman Lado [[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)]

> Sent: 10/12/2012 08:54 AM MST

> To: Lisa Garcia

> Subject: Touching Base

>  
>  
>  
> Lisa,  
>  
> Hope all's well.  
>  
> I was hoping to touch base sometime in the near future. I realize that we haven't been in touch since the last group meeting of EJ advocates and activists a few months ago, and it'd be helpful to find out if there continues to be movement.  
>  
> We have a community-based meeting today and I just heard from some of the others that they've had difficulty reaching contacts at OCR. It'd be helpful to have more up-to-date info to share. If you don't have time today, though, it'd be great to touch base next week.  
>  
> I should be available by cell until 1 or so. Ex. 6 - Personal Privacy After that, I'll be in a car driving, with other people in the car (so speaker is less of an option).  
>  
> Sorry this is so last minute. I thought it was worth a try.  
>  
> Best,  
>  
> Marianne

Leslie- we also need name and organization of everyone attending.  
Thanks.

---

**From:** Leslie Fields [leslie.fields@sierraclub.org]  
**Sent:** 02/15/2013 11:38 AM EST  
**To:** Lisa Garcia  
**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

That works! Thanks1

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How does 11.30 am work. We may have to move it if they call a cabinet meeting.  
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Thanks!

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hi leslie:

I have a request in with Bob, OAR and NEPA, but as you can imagine we are all swamped with transition and expectations of an announcement- so it is hard to ensure that we have the right people in the room.  
I will try to get answers by tomorrow.

Lisa F. Garcia, Esq.  
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Hi Lisa

Thanks for your reply. It would be great if we could get a meeting anytime but 10am on Feb 19 w/ Bob P, you and the NEPA folks. thanks!

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Hi Leslie:

Is there a specific time you were thinking of/

I can check with Bob and other staff- I assume you would want NEPA folks there too.

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To: Lisa Garcia/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA  
Date: 02/06/2013 03:51 PM  
Subject: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

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Dear Mr. Perciasepe and Ms. Garcia

I hope you're well. I'm writing on behalf of a delegation of refinery community members, some of whom you may know, who will be in town on Tuesday, February 19th to speak with various officials about the impacts of petroleum refineries to their communities. We very much appreciate the ongoing work of EPA to help reduce the public health impacts of this sector and we would love to discuss additional areas opportunities to utilize NEPA to ensure agencies are most effectively protecting the over-burdened populations. Please let us know if you have any availability on February 19th. Your assistance is much appreciated, as always.

The delegation will include the following participants, representing some of the most impacted areas of our country:

**Mr. Hilton Kelley, Port Arthur, Texas**

Mr. Kelley is the recent recipient of the prestigious Goldman Environmental Prize (2011). As one of the most renowned environmental justice leaders in our country, Mr. Hilton is at the forefront of the fight to protect communities from harmful industrial pollution in the Texas, Gulf Coast. Mr. Kelley is also the Founder and CEO of Community In-power & Development Association Inc., the Coordinator of the Southeast Texas Bucket Brigade, and Mobile Community Outreach Director for the Coming Clean Collaborative.

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The participants will be joined by myself and my Sierra Club colleague Lena Moffitt.

Thank you so much, for all you do!

Cheers, Leslie Fields

---

Leslie G. Fields  
Director, Environmental Justice & Community Partnerships Program  
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202-548-4586  
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3pm is good.  
we can go over all of these topics.

thanks.

Lisa F. Garcia, Esq.  
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Staff Attorney  
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Because the earth needs a good lawyer

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Hi Leslie:

We definitely enjoyed the weekend, Inspirational and optimistic!  
I will forward your message to Helena and rafael. They are taking the lead on all this..

See you next week, lisa g

Lisa F. Garcia, Esq.  
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for Environmental Justice

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Leslie Fields ---01/22/2013 01:32:17 PM---Hi Lisa I hope you and your family enjoyed Inauguration weekend. I did! The Title

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 01/22/2013 01:32 PM  
Subject: getting ready for next Title VI meeting; will need call-in number again

---

Hi Lisa

I hope you and your family enjoyed Inauguration weekend. I did! The Title VI Alliance is looking forward to our next meeting Jan 29. To that end, this note is a friendly reminder that as usual we will have folks calling in and so wanted to make sure there will be a conference call capabilities. We're also looking forward to the drafts of the white papers so we can properly review them in time for the meeting. Thanks, Leslie

--

Leslie G. Fields  
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Hi Leslie. Can we get that information by 3pm? The front office wants to make sure the Acting Administrator receives all of Tuesday's materials before the weekend. Thank you Leslie!

Carlos R. Evans  
Attorney-Advisor  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Mail Code 2273A  
Washington, DC 20460  
(202) 564-6331

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Lisa Garcia---02/15/2013 12:57:07 PM---Leslie- we also need name and organization of everyone attending. Thanks.

From: Lisa Garcia/DC/USEPA/US  
To: "Leslie Fields" <leslie.fields@sierraclub.org>  
Cc: "Carlos Evans" <Evans.Carlos@epamail.epa.gov>  
Date: 02/15/2013 12:57 PM  
Subject: Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

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Thank you so much, for all you do!

Cheers, Leslie Fields

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Hello.

I would've loved the opportunity to get together- unfortunately I am out back in the field - expanding the conversation on EJ in Arizona that week. But lets stay in touch so we can discuss where Earthjustice is headed, and all the other items we are working on together.

Thanks,

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

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Marianne Engelman Lado ---11/07/2012 12:41:03 PM---Lisa, Congrats! What an exciting evening. I hope the election gives you and your colleagues the op

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 11/07/2012 12:41 PM  
Subject: Question

---

Lisa,

Congrats! What an exciting evening. I hope the election gives you and your colleagues the opportunity to do great work.

I'm coming to DC for an internal Earthjustice training November 13-14, which is focused on developing capacity for work on behalf of a more diverse client base. It'll be attended by approximately 20 members of the Earthjustice staff. I was wondering whether you'll be in town and might like to get together either one-on-one in the evening of the 12<sup>th</sup>, though it would have to be late, or, perhaps, with the Earthjustice gang for dinner on the evening of the 13<sup>th</sup>.

All the best,

Marianne

---

Marianne Engelman Lado  
Staff Attorney  
Earthjustice  
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hi leslie:

I have a request in with Bob, OAR and NEPA, but as you can imagine we are all swamped with transition and expectations of an announcement- so it is hard to ensure that we have the right people in the room. I will try to get answers by tomorrow.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Leslie Fields ---02/12/2013 02:16:28 PM---Hi Lisa Thanks for your reply. It would be great if we could get a meeting anytime

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 02/12/2013 02:16 PM  
Subject: Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Hi Lisa

Thanks for your reply. It would be great if we could get a meeting anytime but 10am on Feb 19 w/ Bob P, you and the NEPA folks. thanks!

On Tue, Feb 12, 2013 at 1:56 PM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:  
Hi Leslie:

Is there a specific time you were thinking of/

I can check with Bob and other staff- I assume you would want NEPA folks there too.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

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1200 Pennsylvania Ave NW  
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Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Leslie Fields ---02/06/2013 03:51:24 PM---Dear Mr. Perciasepe and Ms. Garcia I hope you're well. I'm writing on behalf of a delegation of refi

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA  
Date: 02/06/2013 03:51 PM  
Subject: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Dear Mr. Perciasepe and Ms. Garcia

I hope you're well. I'm writing on behalf of a delegation of refinery community members, some of whom you may know, who will be in town on Tuesday, February 19th to speak with various officials about the impacts of petroleum refineries to their communities. We very much appreciate the ongoing work of EPA to help reduce the public health impacts of this sector and we would love to discuss additional areas opportunities to utilize NEPA to ensure agencies are most effectively protecting the over-burdened populations. Please let us know if you have any availability on February 19th. Your assistance is much appreciated, as always.

The delegation will include the following participants, representing some of the most impacted areas of our country:

**Mr. Hilton Kelley, Port Arthur, Texas**

Mr. Kelley is the recent recipient of the prestigious Goldman Environmental Prize (2011). As one of the most renowned environmental justice leaders in our country, Mr. Hilton is at the forefront of the fight to protect communities from harmful industrial pollution in the Texas, Gulf Coast. Mr. Kelley is also the Founder and CEO of Community In-power & Development Association Inc., the Coordinator of the Southeast Texas Bucket Brigade, and Mobile Community Outreach Director for the Coming Clean Collaborative.

**Denny Larson,**

Mr. Denny Larson is the Executive Director of Global Community Monitor and has twenty three years of experience as a community organizer and campaigner working with industrial communities fighting for justice. He developed the first national network in the U.S. focused on oil refineries and the giant corporations that own them. Mr. Larson has published a series of community organizing handbooks and co-authored a variety of environmental legislation and regulation pertaining to air pollution, accident prevention and environmental monitoring policies. Mr. Larson has negotiated two dozen binding agreements with major polluters in conjunction with impacted communities to reduce tons of dangerous pollution and create direct community oversight.

**Vincent Martin, Michigan**

Mr. Martin is the epitome of a community activist. Born in Cuba, Vincent brings multiple community perspectives to the various coalitions in which he plays a crucial role. Specifically, Vincent is a member of Zero West Coalition, Michigan Environmental Justice Executive Directive Working Group, and is active in the Title VI (of the Civil Rights Act enforcement) Alliance.

**Steven Kozel, Sr, Hammond, Indiana**

Mr. Kozel is the President of the Calumet Project. The Calumet Project actively works with community members, workers, and other local organizations from Lake and Porter Counties, Indiana, to improve the quality of life in their communities, revitalize the local economy, and address other issues related to improving the welfare of the Calumet region.

**Carlotta Blake-King, Hammond, Indiana**

Ms. Blake-King is the Vice President of the Calumet Project (described above). As a member of the executive board, Carlotta acts to ensure clean water, clean, air, and good jobs to the people of the Calumet Region.

The participants will be joined by myself and my Sierra Club colleague Lena Moffitt.

Thank you so much, for all you do!

Cheers, Leslie Fields

--

Leslie G. Fields  
Director, Environmental Justice & Community Partnerships Program  
Sierra Club  
50 F Street NW, Eighth Floor  
Washington, DC 20001  
202-548-4586  
[Leslie.Fields@sierraclub.org](mailto:Leslie.Fields@sierraclub.org)  
[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

--

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Director, Environmental Justice & Community Partnerships Program  
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[Leslie.Fields@sierraclub.org](mailto:Leslie.Fields@sierraclub.org)  
[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

yes, definitely.

I also wanted to chat with you some more about our resources being depleted by litigation...

I am back in the office and have time almost anytime after 12.30pm tomorrow to talk.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---11/15/2012 12:31:02 PM---Is the question we brainstormed about for a Title VI person likely to come to something? I have som

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 11/15/2012 12:31 PM  
Subject: Your Question

---

Is the question we brainstormed about for a Title VI person likely to come to something? I have some additional ideas.

Marianne

---

Marianne Engelman Lado  
Staff Attorney  
Earthjustice  
156 William Street  
Suite 800  
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T: 212-791-1881 x8228  
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Thanks Marianne.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---07/03/2012 12:46:26 PM---Dear Rafael & Lisa, Attached please find a copy of comments on the Title VI Supplement to Plan EJ 20

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Rafael Deleon/DC/USEPA/US@EPA, Lisa Garcia/DC/USEPA/US@EPA  
Cc: Helena Wooden-Aguilar/DC/USEPA/US@EPA  
Date: 07/03/2012 12:46 PM  
Subject: Comments on Plan EJ 2014 Title VI Supplement

---

Dear Rafael & Lisa,

Attached please find a copy of comments on the Title VI Supplement to Plan EJ 2014. We have sent the comments by mail to the attention of "Plan EJ 2014" but wanted to forward copies to each of you, as well.

I look forward to the EPA OCR Roundtable on July 26<sup>th</sup>.

In the meantime, please feel free to let me know if our comments raise any question.

Best,

Marianne

---

Marianne Engelman Lado  
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Title VI Supplement Comments Final 07 03 12.pdf

VI Supplement Comments Final 07 03 12.pdf

Title

The meeting is on the 29th- wanted to make sure everyone had the correct day!

Have a good weekend!

---

**From:** Ex. 6 - Personal Privacy

**Sent:** 01/25/2013 03:04 PM EST

**To:** Rafael Deleon; Ex. 6 - Personal Privacy <leslie.fields@sierraclub.org>

**Cc:** <ahuang@nrdc.org>; <bnewell@crpe-ej.org>; <chris@crag.org>; <gauna@law.unm.edu>; <leslie.fields@sierraclub.org>; Ex. 6 - Personal Privacy <mengelmanlado@earthjustice.org>; <mharden@ehumanrights.org>; <mroberts@ehumanrights.org>; <nsheats@tesc.edu>;

Ex. 6 - Personal Privacy <nwalker@ehumanrights.org>; <rachel.godsil@shu.edu>; <rgarcia@cityprojectca.org>; Helena Wooden-Aguilar; Lisa Garcia; Steve Pressman; Julia Rhodes; Patrick Chang; Vicki Simons; Bicky Corman; Diane Thompson

**Subject:** EPA Meeting Jan 28th 29th: Issue Papers

Rafael.

I will call-in for next week.

Let us know what call-in number,

Appreciative,

Omega

**From:** Deleon.Rafael@epamail.epa.gov [mailto:Deleon.Rafael@epamail.epa.gov]

**Sent:** Friday, January 25, 2013 1:07 PM

**To:** Ex. 6 - Personal Privacy <leslie.fields@sierraclub.org>

**Cc:** ahuang@nrdc.org; bnewell@crpe-ej.org; chris@crag.org; gauna@law.unm.edu;

leslie.fields@sierraclub.org; Ex. 6 - Personal Privacy <mengelmanlado@earthjustice.org>; mharden@ehumanrights.org;

mroberts@ehumanrights.org; nsheats@tesc.edu; Ex. 6 - Personal Privacy

nwalker@ehumanrights.org; rachel.godsil@shu.edu; rgarcia@cityprojectca.org;

Ex. 6 - Personal Privacy <Wooden-Aguilar.Helena@epamail.epa.gov>;

Garcia.Lisa@epamail.epa.gov; Pressman.Steve@epamail.epa.gov;

Rhodes.Julia@epamail.epa.gov; Chang.Patrick@epamail.epa.gov;

Simons.Vicki@epamail.epa.gov; Corman.Bicky@epamail.epa.gov;

Thompson.Diane@epamail.epa.gov

**Subject:** Issue Papers

Dear Colleagues:

As you know, EPA has made improving its civil rights program a priority and recognizes that its enforcement of Title VI of the Civil Rights Act of 1964 (Title VI) is an important tool in its efforts to protect against discrimination and ensure that recipients of EPA financial assistance do not discriminate in implementing programs and activities.

Today, we are providing you two draft policy papers for review and comment.

The first draft policy paper proposes to change the way EPA assesses “adversity” by having the Agency refrain from applying a “rebuttable presumption” in certain Title VI investigations. The second draft paper discusses EPA’s thinking on how to expand the roles of complainants and recipients in the Title VI complaints process. We are also including a recently adopted Title VI Term and Condition that will be included in domestic grant awards made on or after January 23, 2013. The two draft policy papers and the new grants language are also on OCR’s website at [www.epa.gov/ocr](http://www.epa.gov/ocr). EPA will take comments on the two draft policy papers until March 8, 2013.

Thank you for your commitment to Title VI and civil rights more broadly. We’ll see you on the 29th at 1:00pm.

Rafael DeLeon, Esq.  
Director  
EPA-Office of the Administrator  
Office of Civil Rights  
Mail Code 1201A  
1200 Pennsylvania Ave., N.W.  
Room---ARN 2450  
Washington, D.C. 20460  
202 564 7272 (Office Line)  
202 564 4899 (Direct Line)  
202 302 2761 (Office Cell)

I'll reach out to the OAR special assistant about the copies. I also owe you Osborne' number. I'll get you that number. I need to drive in for an hour to set my outgoing messages, etc. I can walk over the letter and CD, if they don't have it.

I have a call and a few other things to tie-up before leaving, so I'll be doing those things.

Thanks and, I will be working so let me know if you need something. Have fun at today's event and GO BLUE!

Lisa Garcia---10/05/2012 07:00 AM EDT---Ok. I left a letter on your chair- we received from EarthJustice re: PVC rule reconsideration along

From: Lisa Garcia  
To: Carlos Evans  
Date: 10/05/2012 07:00 AM EDT  
Subject: Re: Let me know if that's a problem. There are some last minute housekeeping and contractor issues for which I would like

---

Ok. I left a letter on your chair- we received from EarthJustice re: PVC rule reconsideration along with a CD that has 35k similar letters. I wanted to know if OAR wanted copy of letter and CD.

I will write to Gina and ask for an update.  
Have a good trip.  
Lisa G

Carlos Evans---10/05/2012 06:08 AM EDT---

From: Carlos Evans  
To: "Lisa Garcia" <garcia.lisa@epa.gov>  
Date: 10/05/2012 06:08 AM EDT  
Subject: Let me know if that's a problem. There are some last minute housekeeping and contractor issues for which I would like

---

Thanks Marianne. talk to you soon, Lisa g

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---02/16/2012 04:21:33 PM---Rafael and Lisa, Many thanks for following up.

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Rafael Deleon/DC/USEPA/US@EPA, Lisa Garcia/DC/USEPA/US@EPA  
Cc: Helena Wooden-Aguilar/DC/USEPA/US@EPA  
Date: 02/16/2012 04:21 PM  
Subject: RE: Earthjustice filing

---

Rafael and Lisa,

Many thanks for following up.

Below please find an article that appeared in Inside EPA today. I called Lisa because I wanted to convey that the focus of this article was on the need for coal ash regulations and that the comments made about the Title VI complaint filed to challenge Alabama's decision to issue a permit to Perry County Associates in no way reflect any backtracking from our emphasis on the importance of Title VI enforcement. Out of concern that the article's quote from an Earthjustice blog post ("Having to look to the Civil Rights Act for protection [from the coal ash] is a travesty") might be taken out of context, the blog has been rewritten and a new version is now on our website.

As the blog now states: "What happened in Perry County, AL is a travesty, both environmentally and as a matter of basic decency and justice. It demonstrates that in even in 2012 African American lives are still considered less valued than Whites' in some areas of our country, and the respective local governments' lack of response to these citizens denies them justice. TVA, EPA and ADEM, failed to comply with the Civil Rights Act and need to take responsibility for the discriminatory outcome of their decision in Perry County."

As you know, Earthjustice remains committed to Title VI enforcement. Civil rights enforcement is critical to address discrimination on the basis of race and ethnicity and, particularly, the ways in which low-income communities of color have been overburdened by toxic sites and contaminants that threaten the health of community members, poison the environment, create anxiety, and devalue property, among other things.

Many thanks, again, for your consideration. This case was not filed by Earthjustice, but I trust that OCR will give it your full consideration.

Best,

Marianne

---

Marianne Engelman Lado

Staff Attorney

Earthjustice

156 William Street

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New York, New York 10038

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## Daily News

# Activists Cite Rights Complaint In Call For EPA To Release Coal Ash Rule

Posted: February 15, 2012

Environmentalists are stepping up calls for EPA to quickly release a coal ash disposal rule by citing a new complaint alleging that transfer of tons of coal ash to a mostly poor, black Alabama county violated the Civil Rights Act, saying the claim highlights dangerous ash disposal practices in the absence of strict federal waste rules for the material.

Activists involved with the effort also say the fact they have to file a rights claim, rather than enforce stringent Resource Conservation and Recovery Act (RCRA) standards, highlights the limits that proponents of tough ash controls face until EPA finalizes its rule. "Having to look to the Civil Rights Act for protection [from the coal ash] is a travesty," Earthjustice said in a Feb. 10 blog post that reiterated the group's long-running calls for a strict ash rule. The complaint, [filed under Title VI of the act](#) and received Jan. 12 by EPA's Office of Civil Rights (OCR) on behalf of 54 residents of Perry County, AL, is officially under jurisdictional review, says OCR's [February update of its open complaints list](#). Title VI prohibits recipients of federal funds from engaging in discriminatory activity.

The complaint alleges that Alabama's Department of Environmental Management (ADEM) violated Title VI and EPA's implementing regulations for the rights law by reissuing a permit to Perry County Associates, LLC, to operate the Arrowhead Landfill which accepted the coal ash, which was taken from a mostly white, middle-class Tennessee county and transferred to Perry County which is predominantly poor and minority. The permit reissuance has the "effect of adversely and disparately impacting African-American residents in the community," according to the Jan. 3 complaint.

The landfill is handling the ash stemming from the massive 2008 Tennessee Valley Authority (TVA) coal ash spill in Kingston, TN. The complaint asks EPA to revoke funds that it gave to ADEM for its discriminatory actions, though the overall removal plan was authorized by EPA under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), known as the Superfund law. The agency's decision raised immediate equity concerns though this is the first formal civil rights complaint on the matter.



The coal ash spill also prompted EPA to propose two options for regulating coal ash — either as hazardous waste under RCRA subtitle C or subject to less stringent solid waste controls under subtitle D. But EPA has stalled on issuing a final rule, and EPA Administrator Lisa Jackson says it will not be out before the end of 2012.

The complaint notes that the landfill permit authorizes the disposal of nonhazardous solid waste, though EPA has proposed to classify the waste as either nonhazardous or hazardous — activists' preferred option.

The complaint cites adverse impacts on the community living near the landfill due to poor ash handling, including fugitive dust deposition; odors that interfere with sleep, appetite, upper respiratory systems and cause headaches; increased noise from 24/7 operation and lower property values. "The adverse impacts described above have fallen and continue to fall disparately up on members of the African-American race," the complaint says.

The Title VI complaint is prompting environmental groups to further urge EPA to finalize the RCRA rule. Earthjustice's blog post notes that as the "situation improves" in Tennessee, Alabamans living near the Perry County landfill are having "to deal with having the same coal ash dumped on them. . . . Instead of using protective management techniques, the ash was dumped in mounds as high as 60 feet with nothing covering them."

Shipments of TVA ash waste to the landfill ended in late 2010 but the residents are experiencing health problems that they believe are due to the improper disposal of the ash. "Levels of arsenic at more than 80 times the safe drinking water standards have been found in runoff near the landfill," Earthjustice writes.

If EPA declared the waste as hazardous, such disposal techniques would be unlawful, Earthjustice says. If it declares it to be solid waste, states would have authority to determine handling.

Environmentalists separately notified EPA in a Jan. 18 letter of their intent to sue the agency to seek a hard deadline for it to finalize the ash rule, which EPA proposed in June 2010. In a related development, two key House Republicans are urging the agency not to settle with activists over the legal threat.

Ash recyclers sent a similar notice of intent Feb. 9. Environmentalists will argue in their suit that EPA has failed to meet a RCRA mandate to periodically review and revise its waste regulations.

#### **Civil Rights Petition**

In the absence of a RCRA rule for coal ash, one of the Alabama residents' few options is to file a petition under the Civil Rights Act. But the complaint could face the same hurdles as other rights claims, as EPA's OCR has yet to issue a discriminatory finding and some worry it is unlikely to do so here, given the agency's role in approving the broader cleanup plan allowing the transfer of 4 million tons of coal ash to the Alabama landfill.

"This is a blatant example of environmental injustice," the Earthjustice blog notes, noting that Kingston, TN, is 91 percent white and middle class, while the Alabama community is 90 percent African-American with 45 percent living below the poverty level. "Without environmental standards for protection from this toxic waste, 54 residents of Perry County, AL, had little recourse but to file a civil rights complaint alleging discrimination," Earthjustice says. The complaint "grows from collateral damage from the" spill, according to the group's blog post.

One environmentalist says because there is no question that ADEM receives funds from EPA, the agency will likely accept the petition and investigate it. If it makes a preliminary finding of discrimination, it can go back to the state and seek voluntary compliance — though options are limited because the removal has been complete. A formal finding of discrimination would risk ADEM funding, though the source notes EPA has never gone that far.

The question of EPA's role in approving the plan as part of the broader TVA response is an indirect factor, the source adds. "Title VI binds recipients of federal funds. It doesn't apply to the federal government." So even if EPA's action in approving the removal was discriminatory, that does not excuse "a state from committing a discriminatory act, so it doesn't affect the outcome. The only question is a practical one. If the federal agency that gives out federal funds is complicit or involved in the decision, then how fair are they going to be in the investigation?"

A lawyer familiar with the complaint notes that it is addressed solely at ADEM's approval of the landfill permit and its disproportionate impact on minorities in Perry County stemming from coal ash disposal claims. County residents also have a tort claim pending in state court and an environmental claim pending in federal bankruptcy court, where it was transferred from district court after the landfill's owner declared bankruptcy.

An ADEM spokesman told an Alabama newspaper when the complaint was filed that the state "followed its applicable regulatory and statutory requirements so that its decision making process complied with all state and federal requirements." — Dawn Reeves ( [dreeves@iwpnews.com](mailto:dreeves@iwpnews.com) ) This e-mail address is being protected from spambots.

You need JavaScript enabled to view it )

<http://insideepa.com/201202162390435/EPA-Daily-News/Daily-News/activists-cite-rights-complaint-in-call-for-epa-to-release-coal-ash-rule/menu-id-95.html>

**From:** Rafael Deleon [mailto:[Deleon.Rafael@epamail.epa.gov](mailto:Deleon.Rafael@epamail.epa.gov)]

**Sent:** Thursday, February 16, 2012 4:03 PM

**To:** Marianne Engelman Lado

**Cc:** Helena Wooden-Aguilar

**Subject:** Fw: Earthjustice filing

Hi Marianne

See below...from Lisa Garcia....

Can you help answer her question. Thx.

Rafael DeLeon, Esq.  
Director  
EPA-Office of the Administrator  
Office of Civil Rights  
Mail Code 1201A  
1200 Pennsylvania Ave., N.W.  
Room---ARN 2450  
Washington, D.C. 20460  
202 564 7272 (Office Line)  
202 564 4899 (Direct Line)  
202 302 2761 (Office Cell)

----- Forwarded by Rafael DeLeon/DC/USEPA/US on 02/16/2012 04:00 PM -----

---

Does anyone have a copy of the Earthjustice Title VI filing? if they did file one..

Marianne lado left a message to say that they filed something? Or they were quoted in an Inside EPA story about a recent filing?

Didn't get many details, but would be interested in the story.

thanks

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Also, the front office is asking for an agenda. Please send one for the meeting. Thanks again Leslie!

Carlos R. Evans  
Attorney-Advisor  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Mail Code 2273A  
Washington, DC 20460  
(202) 564-6331

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Lisa Garcia---02/15/2013 12:57:07 PM---Leslie- we also need name and organization of everyone attending. Thanks.

From: Lisa Garcia/DC/USEPA/US  
To: "Leslie Fields" <leslie.fields@sierraclub.org>  
Cc: "Carlos Evans" <Evans.Carlos@epamail.epa.gov>  
Date: 02/15/2013 12:57 PM  
Subject: Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Leslie- we also need name and organization of everyone attending.  
Thanks.

---

**From:** Leslie Fields [leslie.fields@sierraclub.org]  
**Sent:** 02/15/2013 11:38 AM EST  
**To:** Lisa Garcia  
**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

That works! Thanks1

On Fri, Feb 15, 2013 at 10:54 AM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:  
How does 11.30 am work. We may have to move it if they call a cabinet meeting.  
Thanks.

---

**From:** Leslie Fields [[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)]  
**Sent:** 02/14/2013 06:02 PM EST  
**To:** Lisa Garcia  
**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

Thanks!

On Thu, Feb 14, 2013 at 5:15 PM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:  
hi leslie:

I have a request in with Bob, OAR and NEPA, but as you can imagine we are all swamped with transition and expectations of an announcement- so it is hard to ensure that we have the right people in the room.  
I will try to get answers by tomorrow.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
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Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Leslie Fields ---02/12/2013 02:16:28 PM---Hi Lisa Thanks for your reply. It would be great if we could get a meeting anytime

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 02/12/2013 02:16 PM  
Subject: Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Hi Lisa

Thanks for your reply. It would be great if we could get a meeting anytime but 10am on Feb 19 w/ Bob P, you and the NEPA folks. thanks!

On Tue, Feb 12, 2013 at 1:56 PM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:  
Hi Leslie:

Is there a specific time you were thinking of/

I can check with Bob and other staff- I assume you would want NEPA folks there too.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: [\(202\) 564 1259](tel:(202)5641259)  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Leslie Fields ---02/06/2013 03:51:24 PM---Dear Mr. Perciasepe and Ms. Garcia I hope you're well. I'm writing on behalf of a delegation of refi

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA  
Date: 02/06/2013 03:51 PM  
Subject: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Dear Mr. Perciasepe and Ms. Garcia

I hope you're well. I'm writing on behalf of a delegation of refinery community members, some of whom you may know, who will be in town on Tuesday, February 19th to speak with various officials about the impacts of petroleum refineries to their communities. We very much appreciate the ongoing work of EPA to help reduce the public health impacts of this sector and we would love to discuss additional areas opportunities to utilize NEPA to ensure agencies are most effectively protecting the over-burdened populations. Please let us know if you have any availability on February 19th. Your assistance is much appreciated, as always.

The delegation will include the following participants, representing some of the most impacted areas of our country:

**Mr. Hilton Kelley, Port Arthur, Texas**

Mr. Kelley is the recent recipient of the prestigious Goldman Environmental Prize (2011). As one of the most renowned environmental justice leaders in our country, Mr. Hilton is at the forefront of the fight to protect communities from harmful industrial pollution in the Texas, Gulf Coast. Mr. Kelley is also the Founder and CEO of Community In-power & Development Association Inc., the Coordinator of the Southeast Texas Bucket Brigade, and Mobile Community Outreach Director for the Coming Clean Collaborative.

**Denny Larson,**

Mr. Denny Larson is the Executive Director of Global Community Monitor and has twenty three years of experience as a community organizer and campaigner working with industrial communities fighting for justice. He developed the first national network in the U.S. focused on oil refineries and the giant corporations that own them. Mr. Larson has published a series of community organizing handbooks and co-authored a variety of environmental legislation and regulation pertaining to air pollution, accident prevention and environmental monitoring policies. Mr. Larson has negotiated two dozen binding agreements with major polluters in conjunction with impacted communities to reduce tons of dangerous pollution and create direct community oversight.

**Vincent Martin, Michigan**

Mr. Martin is the epitome of a community activist. Born in Cuba, Vincent brings multiple community perspectives to the various coalitions in which he

plays a crucial role. Specifically, Vincent is a member of Zero West Coalition, Michigan Environmental Justice Executive Directive Working Group, and is active in the Title VI (of the Civil Rights Act enforcement) Alliance.

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The participants will be joined by myself and my Sierra Club colleague Lena Moffitt.

Thank you so much, for all you do!

Cheers, Leslie Fields

--

Leslie G. Fields  
Director, Environmental Justice & Community Partnerships Program

Sierra Club  
50 F Street NW, Eighth Floor  
Washington, DC 20001  
202-548-4586  
Leslie.Fields@sierraclub.org  
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--

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www.sierraclub.org/ejcp





The meeting is on the 29th- wanted to make sure everyone had the correct day!

Have a good weekend!

---

**From:** Ex. 6 - Personal Privacy

**Sent:** 01/25/2013 03:04 PM EST

**To:** Rafael Deleon; Ex. 6 - Personal Privacy <leslie.fields@sierraclub.org>

**Cc:** <ahuang@nrdc.org>; <bnewell@crpe-ej.org>; <chris@crag.org>; <gauna@law.unm.edu>; <leslie.fields@sierraclub.org>; Ex. 6 - Personal Privacy <mengelmanlado@earthjustice.org>; <mharden@ehumanrights.org>; <mroberts@ehumanrights.org>; <nsheats@tesc.edu>; Ex. 6 - Personal Privacy <nwalker@ehumanrights.org>; <rachel.godsil@shu.edu>; <rgarcia@cityprojectca.org>; Helena Wooden-Aguilar; Lisa Garcia; Steve Pressman; Julia Rhodes; Patrick Chang; Vicki Simons; Bicky Corman; Diane Thompson

**Subject:** EPA Meeting Jan 28th 29th: Issue Papers

Rafael.

I will call-in for next week.

Let us know what call-in number,

Appreciative,

Omega

**From:** Deleon.Rafael@epamail.epa.gov [mailto:Deleon.Rafael@epamail.epa.gov]

**Sent:** Friday, January 25, 2013 1:07 PM

**To:** Ex. 6 - Personal Privacy <leslie.fields@sierraclub.org>

**Cc:** <ahuang@nrdc.org>; <bnewell@crpe-ej.org>; <chris@crag.org>; <gauna@law.unm.edu>;

<leslie.fields@sierraclub.org>; Ex. 6 - Personal Privacy <mengelmanlado@earthjustice.org>; <mharden@ehumanrights.org>;

<mroberts@ehumanrights.org>; <nsheats@tesc.edu>; Ex. 6 - Personal Privacy

<nwalker@ehumanrights.org>; <rachel.godsil@shu.edu>; <rgarcia@cityprojectca.org>;

Ex. 6 - Personal Privacy <Wooden-Aguilar.Helena@epamail.epa.gov>;

<Garcia.Lisa@epamail.epa.gov>; <Pressman.Steve@epamail.epa.gov>;

<Rhodes.Julia@epamail.epa.gov>; <Chang.Patrick@epamail.epa.gov>;

<Simons.Vicki@epamail.epa.gov>; <Corman.Bicky@epamail.epa.gov>;

<Thompson.Diane@epamail.epa.gov>

**Subject:** Issue Papers

Dear Colleagues:

As you know, EPA has made improving its civil rights program a priority and recognizes that its enforcement of Title VI of the Civil Rights Act of 1964 (Title VI) is an important tool in its efforts to protect against discrimination and ensure that recipients of EPA financial assistance do not discriminate in implementing programs and activities.

Today, we are providing you two draft policy papers for review and comment.

The first draft policy paper proposes to change the way EPA assesses “adversity” by having the Agency refrain from applying a “rebuttable presumption” in certain Title VI investigations. The second draft paper discusses EPA’s thinking on how to expand the roles of complainants and recipients in the Title VI complaints process. We are also including a recently adopted Title VI Term and Condition that will be included in domestic grant awards made on or after January 23, 2013. The two draft policy papers and the new grants language are also on OCR’s website at [www.epa.gov/ocr](http://www.epa.gov/ocr). EPA will take comments on the two draft policy papers until March 8, 2013.

Thank you for your commitment to Title VI and civil rights more broadly. We’ll see you on the 29th at 1:00pm.

Rafael DeLeon, Esq.  
Director  
EPA-Office of the Administrator  
Office of Civil Rights  
Mail Code 1201A  
1200 Pennsylvania Ave., N.W.  
Room---ARN 2450  
Washington, D.C. 20460  
202 564 7272 (Office Line)  
202 564 4899 (Direct Line)  

Ex. 6 - Personal Privacy

 (Office Cell)

Thanks. I will review.

Also, we were asked to set up a meeting on Title VI on April 13th and I believe the Administrator may have some time- we are still double checking- a bit earlier than we had expected, but good to keep the dialog moving.

Take care.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Marianne Engelman Lado ---04/02/2012 05:55:18 PM---Dear Lisa, Hope you're well.

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 04/02/2012 05:55 PM  
Subject: Okechobee County Environmental Racism

---

Dear Lisa,

Hope you're well.

I'm writing to ask for your thoughts on how advocates might best approach EPA for assistance on an environmental justice issue. I have a particular case in mind, but I realize that talking through approaches to this case might provide insight that can guide our advice to other communities in the future.

Ginny Sherlock, of Littman, Sherlock & Heims, who is representing community members *pro bono*, will, separately, be evaluating a potential Title VI claim. Aside from Title VI, though, I was wondering whether EPA's Office of Environmental Justice and Tribal Affairs has any process or services that it can offer or if you have any other advice as to how the community might approach EPA for assistance.

Attached please find a letter written by Ms. Sherlock that outlines community concerns: the Community Action Committee of Douglas Park and Deans Court in Okeechobee County, Florida, a predominantly African American area, has been actively trying to improve the life of the neighborhood. As part of that effort, the group explored cleaning up a nearby property. Virtually overnight, they found that a scrap metal recycling company had set up operation, in apparent violation of county code provisions. They tried to get the county to enforce the law, to no avail. Ms. Sherlock has already written to EPA Region 4, so far with no response, and they are trying to assess their options. I was also wondering whether EPA's Brownfields Program provides any services that might be relevant to this situation.

I'd greatly appreciate any input.

Many thanks,

Marianne

---

Marianne Engelman Lado

Staff Attorney

Earthjustice

156 William Street

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New York, New York 10038

T: 212-791-1881 x8228

F: 212-918-1556

[www.earthjustice.org](http://www.earthjustice.org)

*Because the earth needs a good lawyer*

\*please consider the environment before printing

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EPA.03.28.12.pdf



EPA.03.28.12.pdf

How does 11.30 am work. We may have to move it if they call a cabinet meeting.  
Thanks.

---

**From:** Leslie Fields [leslie.fields@sierraclub.org]  
**Sent:** 02/14/2013 06:02 PM EST  
**To:** Lisa Garcia  
**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

Thanks!

On Thu, Feb 14, 2013 at 5:15 PM, <[Garcia.Lisa@epamail.epa.gov](mailto:Garcia.Lisa@epamail.epa.gov)> wrote:

hi leslie:

I have a request in with Bob, OAR and NEPA, but as you can imagine we are all swamped with transition and expectations of an announcement- so it is hard to ensure that we have the right people in the room.  
I will try to get answers by tomorrow.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA  
1200 Pennsylvania Ave NW  
Room 3000 ARS: MC-1101A  
Washington, DC 20460  
Tel: [\(202\) 564 1259](tel:(202)5641259)  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Leslie Fields ---02/12/2013 02:16:28 PM---Hi Lisa Thanks for your reply. It would be great if we could get a meeting anytime

**From:** Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
**To:** Lisa Garcia/DC/USEPA/US@EPA  
**Date:** 02/12/2013 02:16 PM  
**Subject:** Re: Meeting request on behalf of environmental justice delegation from petroleum refinery communities - February 19th

---

Hi Lisa

Thanks for your reply. It would be great if we could get a meeting anytime but 10am on Feb 19 w/ Bob P, you and the NEPA folks. thanks!

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☞ Leslie Fields ---02/06/2013 03:51:24 PM---Dear Mr. Perciasepe and Ms. Garcia I hope you're well. I'm writing on behalf of a delegation of refi

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The participants will be joined by myself and my Sierra Club colleague Lena Moffitt.

Thank you so much, for all you do!

Cheers, Leslie Fields

--

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[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

So great that his true legacy lives on!

See you soon, Lisa G

Lisa F. Garcia, Esq.  
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Marianne Engelman Lado ---07/03/2012 02:16:02 PM---As an aside, the Memorial event for Michael was meaningful. At the same time, it was very much an N

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 07/03/2012 02:16 PM  
Subject: RE: Comments on Plan EJ 2014 Title VI Supplement

---

As an aside, the Memorial event for Michael was meaningful. At the same time, it was very much an NULPI event – complete with networking, short films and wine. Given that it took place in a Temple, I thought it was going to be a service or a sit-down event, with people giving speeches about Michael. Instead, true to Michael's networking spirit, it was more of a low-key party, encouraging people to keep going and to keep the work going (including continuing to support NYLPI, all in a good way). There was a 40 minute program with short speeches and films about Michael and about the need to keep going.

Best,

Marianne

**From:** Lisa Garcia [<mailto:Garcia.Lisa@epamail.epa.gov>]  
**Sent:** Tuesday, July 03, 2012 1:44 PM  
**To:** Marianne Engelman Lado  
**Cc:** Helena Wooden-Aguilar; Rafael Deleon  
**Subject:** Re: Comments on Plan EJ 2014 Title VI Supplement

Thanks Marianne.

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

US EPA

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Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

▼ Marianne Engelman Lado ---07/03/2012 12:46:26 PM---Dear Rafael & Lisa, Attached please find a copy of comments on the Title VI Supplement to Plan EJ 20

From: Marianne Engelman Lado <[mengelmanlado@earthjustice.org](mailto:mengelmanlado@earthjustice.org)>  
To: Rafael Deleon/DC/USEPA/US@EPA, Lisa Garcia/DC/USEPA/US@EPA  
Cc: Helena Wooden-Aguilar/DC/USEPA/US@EPA  
Date: 07/03/2012 12:46 PM  
Subject: Comments on Plan EJ 2014 Title VI Supplement

---

Dear Rafael & Lisa,

Attached please find a copy of comments on the Title VI Supplement to Plan EJ 2014. We have sent the comments by mail to the attention of "Plan EJ 2014" but wanted to forward copies to each of you, as well.

I look forward to the EPA OCR Roundtable on July 26<sup>th</sup>.

In the meantime, please feel free to let me know if our comments raise any question.

Best,

Marianne

---

Marianne Engelman Lado  
Staff Attorney  
Earthjustice  
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Suite 800  
New York, New York 10038  
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*(See attached file: Title VI Supplement Comments Final 07 03 12.pdf)*



Dec 3rd is better- but I am sure Rafael and OCR folks will reply.  
Thanks.

---

**From:** Leslie Fields [leslie.fields@sierraclub.org]  
**Sent:** 10/19/2012 10:56 AM AST  
**To:** Rafael Deleon; Scott Fulton; Lisa Garcia  
**Subject:** scheduling the next Title VI meeting with Administrator & Co.

Dear Lisa, Scott and Rafael

I am writing on behalf of the Title VI Group to request our next quarterly meeting with the Administrator and key staff. Could it be scheduled the week of November 26 or December 3? Thank you for all your ongoing efforts.

Warm regards, Leslie Fields

--

Leslie G. Fields  
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[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

Great. Thanks so much!

---

**From:** Marianne Engelman Lado [mengelmanlado@earthjustice.org]  
**Sent:** 01/03/2013 05:56 AM PST  
**To:** Lisa Garcia  
**Subject:** Equal Opp Statements

Lisa,

Attached please find a copy of Jenkins, et al., "Promoting Opportunity through Impact Statements: A Tool for Policymakers to Assess Equity," 6 *Advance* 61 (2012). I hand copied the piece from the bound volume and it may be a bit hard to read. Please feel free to let me know if you'd like me to slip the original in the mail.

Best,

Marianne

---

Marianne Engelman Lado  
Staff Attorney  
Earthjustice  
156 William Street  
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T: 212 845-7393 (new direct line)  
F: 212-918-1556

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The participants will be joined by myself and my Sierra Club colleague Lena Moffitt.

Thank you so much, for all you do!

Cheers, Leslie Fields

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[www.sierraclub.org/ejcp](http://www.sierraclub.org/ejcp)

Happy Holidays to you and your family too!!

Lisa F. Garcia, Esq.  
Senior Advisor to the Administrator  
for Environmental Justice

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Tel: (202) 564 1259  
E-mail: [garcia.lisa@epa.gov](mailto:garcia.lisa@epa.gov)

Leslie Fields ---12/14/2012 04:09:14 PM---Hi Lisa Thanks for your call. Charles Lee called as well.  
Congratulations! Happy

From: Leslie Fields <[leslie.fields@sierraclub.org](mailto:leslie.fields@sierraclub.org)>  
To: Lisa Garcia/DC/USEPA/US@EPA  
Date: 12/14/2012 04:09 PM  
Subject: thanks for the call

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Hi Lisa

Thanks for your call. Charles Lee called as well. Congratulations! Happy Holidays,  
Leslie

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